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LOUISVILLE METRO COUNCIL

COMMONWEALTH OF KENTUCKY
LOUISVILLE METRO GOVERNMENT
JEFFERSON COUNTY KENTUCKY

IN THE MATTER OF CHARGES AGAINST
DISTRICT 21 COUNCILMAN DAN JOHNSON

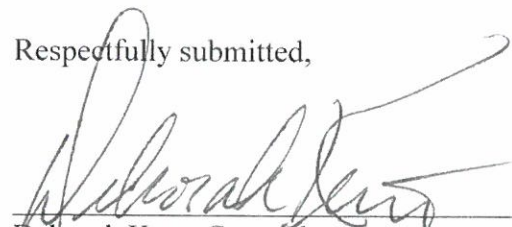
CHARGING COMMITTEE'S MOTION IN LIMINE
TO EXCLUDE IRRELEVANT EVIDENCE

Comes the Charging Committee, by counsel, and based on Respondent's Response to Compliant filed August, 24, 2017, has reason to believe that the Respondent Councilman Dan Johnson will try to introduce irrelevant evidence that will only serve to divert, distract and mislead the Council in determining the validity of the charges filed.

The Respondent must bear the burden and prove prior to the hearing the relevancy and necessity of his proposed evidence, that his proposed evidence is directly related to the charges, and it must assist the Council Court in deciding the issues raised in the charges. So, for example, evidence of Councilman Johnson's good works and community service in his public and private life is extraneous information as these acts have not been complained of in the Charges. The Respondent should not be permitted to delay the hearing with irrelevant evidence.

The Respondent must meet the burden of proving the relevancy and necessity of his proposed evidence, prior to the hearing. The Charging Committee respectfully requests that Metro Council exclude the Respondent from introducing irrelevant and unnecessary evidence prior in the hearing.

Respectfully submitted,



Deborah Kent, Counsel
Charging Committee

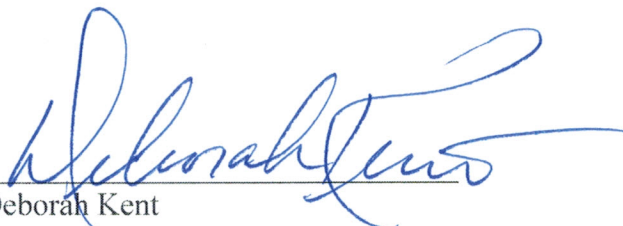
CERTIFICATE OF SERVICE

It is hereby certified that a copy of the foregoing was sent via email to the following on October 18, 2017:

Hon. Stephen Ott
Metro Council Clerk
601 W. Jefferson St.
Louisville, Ky. 40202

Hon Mike O'Connell
Jefferson County Attorney
600 W. Jefferson St.
Louisville, Ky. 40202

Hon. Thomas McAdam
2950 Breckenridge Lane Ste 9
Louisville, Ky. 40220
Counsel for Respondent


Deborah Kent

**IN THE MATTER OF CHARGES AGAINST
DISTRICT 21 COUNCILMAN DAN JOHNSON**

ORDER EXCLUDING IRRELEVANT EVIDENCE

Comes the Charging Committee by counsel and offers the following Order to Exclude Irrelevant Evidence;

1. All testimony, evidence and exhibits introduced must be directly related to the charges filed. The parties are prohibited from introducing irrelevant testimony, evidence and exhibits regarding those actions of Councilman Johnson that have not been complained of as constituting misconduct, incapacity or willful neglect. Such testimony, evidence and exhibits will unduly prejudice the Council Court members, delay the proceedings and distract from hearing the charges.
2. The parties are further ordered to advise those testifying to avoid any direct or indirect irrelevant testimony by witnesses during their testimony.
3. If either party wishes to introduce such testimony, evidence or exhibits it shall be filed prior to the hearing and ruled on by the Court.

IT IS SO ORDERED

President David Yates
Chair, Metro Council Court